

**Signing: RMP Proposal**  
**Thursday, May 17, 2018**  
**10:30am – Admin's Office**

**Purpose:** You will be signing an NPRM of a reconsideration of the Risk Management Program (RMP) Amendments Final Rule of January, 2017. We've invited stakeholders to join you for this signing.

### **Background**

The proposal includes:

# **Deliberative Process / Ex. 5**

Prior to the RMP Amendments Final Rule taking effect on March 14, 2017, EPA received three petitions for reconsideration from the RMP Coalition (representing 7 trade associations/business groups), the Chemical Safety Advocacy Group (representing several companies from affected sectors), and 10 State Attorneys General. Petitioners raised various concerns:

- New information disclosure requirements in final rule pose security risks
- Inadequate cost/benefit assessment
- BATF West Fertilizer, Texas arson finding undercut basis for proposed rule
- Unjustified change to scope of existing compliance audit requirement
- Emergency coordination and exercise provisions impose high costs on state and local emergency responders
- New third-party audit trigger introduced in final rule without notice
- New legal rationales for third-party audits and safer technology and alternatives analyses (STAA) introduced in final rule without notice.

The proposed rule addresses the concerns of industry petitioners concerning coordination with OSHA's Process Safety Management standard; costs and non-quantified benefits of the provisions; security; and regulatory burden and costs for regulated facilities and for any local emergency responders who may wish to participate in the exercises.

This proposed rule is deregulatory and the rescissions (from the 2017 RMP Amendments rule) in this proposal would lead to reductions in compliance costs totaling approximately \$88 million.

### **Attendees:**

Mike Walls – ACC; Jennifer Gibson and Eric Byer – NADC; Lauren Coughlin and Hilary Moffett – API; Shawn Ward – Cornerstone Chemical; Johnathon Gledhill – Policy Navigation Group; Christy R. Blanchard – Rubicon, LLC; Rob Helminiak – SOCMA